

Amendment No. 1 to SB2814

McNally
Signature of Sponsor

AMEND Senate Bill No. 2814*

House Bill No. 2894

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-82-312, is amended by designating the existing language in subsection (a) as subdivision (a)(1) and by adding the following language as a new subdivision (2):

(2)

(A) In addition to enforcing the payment of fees in accordance with subdivision (1), a water utility district is authorized to enter into a contract with a municipality to which this subdivision (2) applies which provides and charges for garbage and refuse collection and disposal services to bill and collect the monthly municipal charge for such services as an added designated item on its water service bills, or otherwise, and to enforce the collection of such charges in any manner authorized by law for collecting unpaid debts due and owing. Such enforcement authority shall not impair nor alter the ability of the municipality to enforce the collection of such charges.

(B) Prior to taking any action which might affect a property owner, if different from the user of the garbage and refuse collection and disposal services, the utility district or municipality shall give notice to the property owner, not less than ninety (90) days prior to the filing of any action where the property owner may be named as a defendant. The notice shall also contain a statement to the effect that, unless the payments are brought up-to-date, an action will be filed in chancery court and a judgment lien may attach to the property.

(C) The provisions of this subdivision (2) shall only apply to any water utility district which enters into a contract for the collection of a municipal garbage

and refuse collection and disposal services charge with any municipality having a population of not less than thirteen thousand seven hundred (13,700) nor more than fourteen thousand (14,000), according to the 2000 federal census or any subsequent federal census.

(D) The utility district or municipality, if the municipality files the action, shall bear the reasonable costs incurred by a property owner in defending such an action due to an error in the records or fees of the utility district or municipality related to the provision of garbage and refuse collection and disposal services.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.